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CHAPTER 47-400 PAYMENT FOR CHILD CARE SERVICES**47-401 CHILD CARE PAYMENT LIMITS****47-401**

- .1 Maximum Payment Rate
- The maximum payment rate for all Stage One child care shall be care costing no more than 1.5 market standard deviations above the mean cost of care for the region where care is provided.
- .11 Payment Basis
- Counties shall calculate payments for child care on a monthly basis, weekly basis, daily basis or hourly basis, depending on the client's needs and the contractual terms used by the child care provider to charge other members of the public receiving the same services.
- .2 Payment Limits
- Payment for Stage One child care services shall not exceed the fee charged to other members of the public receiving the same service.
- .21 Exception to Payment Limits
- Counties shall not be bound by the rate limit described in Section 47-401.1 when there are, in the region, no more than two child care providers of the type needed by the recipient of child care services provided under this Division.
- .3 Co-Payment
- A client may choose a child care provider who charges a fee higher than the maximum payment rate. The county shall not pay those child care costs that are in excess of the maximum payment rate. The client is responsible for those costs.
- .4 Hours of Care
- The county shall pay for child care on behalf of the client during the following times:
- .41 Participation Hours
- When a client is participating in county-approved activities;

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.42	Work Hours	When the client is working;
.43	Commute Hours	When the client commutes;
.44	Ill Child	At county option, when a child is ill and requires care from a different child care provider;
.45	Other Required Activities	At county option, when care is necessary for other required activities.
.5	Exceptions to Hours of Care	The county shall not pay for child care during:
.51	School Attendance	Time the child is attending school; or
.52	Other Subsidized Programs	Time the child is receiving care in other subsidized child care programs except for the condition described in Sections 47-401.44 and .45 above.
.6	Registration Fee	The county shall pay registration fees charged by child care providers, as long as these fees are the same as those charged to other members of the public for the same purpose.
.61	Maximum Payment Rate	The registration fee plus the regular charge for child care for that month shall not exceed the maximum payment rate.
.7	Family Fees	Family fees, if any, shall be based on the fee schedule established by the State and shall be paid by the client, at county option, directly to the child care provider or the county.
.71	Exemption From Family Fee	The county shall exempt from the family fee, at the request of the child welfare services worker, any client whose child or children are receiving child protective services.

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.8 Family Fee Schedule

The Family Fee Schedule, established by the Superintendent of Public Instruction is as follows:

**FAMILY FEE SCHEDULE
September 1998**

Family Pays			Family Size and Income Level										
Hourly	Part-time Daily	Full-time Daily	1-2	3	4	5	6	7	8	9	10	11	12
0.20	1.00	2.00	1755	1881	2090	2424	2758	2821	2884	2946	3009	3072	3134
0.25	1.25	2.50	1825	1956	2173	2521	2868	2934	2999	3064	3129	3194	3260
0.30	1.50	3.00	1896	2031	2257	2618	2979	3046	3114	3182	3250	3317	3385
0.35	1.75	3.50	1966	2106	2340	2715	3089	3159	3230	3300	3370	3440	3510
0.40	2.00	4.00	2036	2181	2424	2812	3199	3272	3345	3418	3490	3563	3636
0.45	2.25	4.50	2106	2257	2507	2909	3310	3385	3460	3535	3611	3686	3761
0.53	2.63	5.25	2176	2332	2591	3006	3420	3498	3576	3653	3731	3809	3886
0.60	3.00	6.00	2247	2407	2675	3102	3530	3611	3691	3771	3851	3932	4012
0.68	3.38	6.75	2317	2482	2758	3199	3641	3723	3806	3889	3972	4054	4137
0.75	3.75	7.50	2387	2558	2842	3296	3751	3836	3922	4007	4092	4177	4263
0.83	4.13	8.25	2457	2633	2925	3393	3861	3949	4037	4125	4212	4300	4388
0.90	4.50	9.00	2527	2708	3009	3490	3972	4062	4152	4243	4333	4423	4513
0.98	4.88	9.75	2598	2783	3092	3587	4082	4175	4268	4360	4453	4546	4639
1.01	5.05	10.10	2633	2821	3134	3636	4137	4231	4325	4419	4513	4607	4701

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| .9 | Services Provided During
Excused Absences | Counties shall have the option to pay for child care during excused absences of the child or the client. |
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| .91 | Excused Absences | Excused absences may include, but are not limited to, illness or quarantine of the child or client, court ordered visitations, family emergencies, or court appearances. |
| .92 | Fixed Schedule | Payment for absences may include payments to the child care provider who has a policy that child care is on a fixed schedule, whether the child attends or not. |

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NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: 42 U.S.C. 9858c, 45 CFR 98.43; Sections 8202(g)(3), 8208, 8208.1, 8221, 8222, 8263, 8351, and 8357, Education Code; Sections 11320.3, 11323.2, 11323.4 and 11323.8, Welfare and Institutions Code.

47-420	PAYMENT OF CHILD CARE COSTS	47-420
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| .1 | Child Care Payments to Providers | The county shall issue child care payments on behalf of the client directly to the child care provider except as provided in Section 47-420.2. |
| .2 | Child Care Payments to Clients | Child care payments may be made directly to the client, as the employer, if child care is provided in the home of the client. The county shall inform the client of his/her corresponding legal and financial reporting requirements. |
| .21 | Information Needed for Payment | The county shall issue a child care payment only when the client provides the following information on a monthly basis: |
| .211 | Hours of Care | Number of hours of care given per child. |
| .212 | Cost Per Child | Cost per child as verified by the child care provider's rate schedule. |
| .213 | Signatures | Signatures provided by both the child care provider and the client under penalty of perjury, verifying the accuracy of the information. |

47-420	PAYMENT OF CHILD CARE COSTS (Continued)	47-420
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| .22 | Timing of Payments to Providers | At county option, the child care provider may be paid in advance or after the services are provided, depending on how the child care provider charges the public for the same services. |
| .3 | Notices for Payment | The county shall notify the client whenever there is an approval, denial, change or discontinuance in the amount of subsidy paid by the county for child care, as required by Sections 22-001(a)(1), 22-001(t)(1), 22-071 and 22-072. |
| .31 | State Hearings | Notices for payment of child care shall contain information on the client's right to a state hearing as required by Sections 22-001(a)(1) and 22-071.1. |
| .32 | Child Care Pending the Hearing Decision | When a client requests a hearing within the period of timely notification (see Section 22-022.5) to appeal a suspension, reduction, or termination of CalWORKs child care, or a change in the method of providing such services, the client shall be entitled to a continuation of CalWORKs child care in the same amount or form pending the hearing decision. The client shall not be entitled to such a continuation when the basis of action appealed is the health and safety of the child, including failure of the provider to satisfy health and safety requirements pursuant to Section 47-630, failure of the provider to obtain Trustline Registry pursuant to Chapter 47-600, or if the provider is denied payment pursuant to Section 47-420.4. |
| .4 | Denial of Payment | The county shall deny payment for child care services that are exempt from licensure if the child care case file contains credible information that the provider has been convicted of a crime specified in the Penal Code Sections referenced in Health and Safety Code Section 1596.871(f)(1). |

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: 45 CFR 98.43; Sections 8352 and 8357, Education Code; Section 1596.871(f)(1), Health and Safety Code; Sections 10950, 11054, 11323.2, 11323.8, and 11324(c), Welfare and Institutions Code.

47-440	OVERPAYMENTS AND UNDERPAYMENTS	47-440
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| .1 | Overpayments and Underpayments | The county shall take steps to promptly correct any overpayment or underpayment for child care services. |
| .11 | Collection of Overpayments | The county shall collect overpayments if it determines that it is administratively cost effective. |
| .12 | Offset of Overpayments | The county shall not offset the child care overpayment against the CalWORKs grant unless the recipient agrees or volunteers to submit to such an offset. |
| .13 | Services Provided During Periods of Ineligibility | If payments are made to a child care provider for child care during a period when the client was not eligible for child care because the client was not participating in county-required activities, the client is responsible for the erroneous payment. |
| .14 | Overpayments to Providers | In those cases in which the child care provider is paid for child care services that were not provided, the child care provider is responsible for the overpayment. |
| .15 | Deferring Overpayment Collection | The county shall have the option to defer the collection and recovery of an overpayment if the collection and recovery would result in the disruption of child care arrangements, preclude participation in county-approved activities, or prevent employment. |
| .16 | Tracking and Collection of Overpayments | The county shall identify and track any overpayments involving clients or child care providers. |
| .17 | Overpayments Resulting From Fraud | Overpayments resulting from suspected fraud on the part of the client or the child care provider shall be referred for investigation, subject to the county's criteria for fraud referrals. |

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. **Reference:** Sections 11320.3, 11323.2, 11323.4 and 11324, Welfare and Institutions Code.

**CALWORKS CHILD CARE
TRUSTLINE REGISTRY AND HEALTH AND SAFETY REQUIREMENTS**

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CHAPTER 47-600 TRUSTLINE REGISTRY AND HEALTH AND SAFETY REQUIREMENTS

47-601 INTRODUCTION TO TRUSTLINE REGISTRY AND HEALTH AND SAFETY REQUIREMENTS FOR CALWORKS LICENSE-EXEMPT CHILD CARE PROVIDERS 47-601

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.1 Introduction

The Trustline Registry system, hereafter referred to as "Trustline," provides for criminal record clearance and substantiated child abuse report checks for child care providers who are exempt from licensing requirements and who care for children eligible for CalWORKs Stage One child care. Specified license-exempt child care providers must apply for and be cleared through Trustline in order to receive payment for CalWORKs child care services.

To help ensure the health, safety, and welfare of a child(ren) within a child care arrangement, specified license-exempt child care providers must also meet the Health and Safety requirements of this Chapter to prevent and control infectious diseases and provide building and physical premises safety.

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NOTE: Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code; Section 1596.67, Health and Safety Code; Sections 8171(a) and 8181(a), Education Code; and Public Law 104-193, (Personal Responsibility and Work Opportunity Reconciliation Act [PRWORA] of 1996). Reference: Section 1596.67, Health and Safety Code; Sections 8171(a) and 8181(a), Education Code; and 42 U.S.C. 9858c.(c)(2)(F).

47-602 DEFINITIONS

47-602

In addition to Section 47-110e.(2), the following definitions shall apply:

a. (Reserved)

b. (Reserved)

c. (Reserved)

d. (Reserved)

e. (Reserved)

f. (Reserved)

g. (Reserved)

h. (1) Health and Safety Requirements

Health and Safety Requirements - means the completion of: 1) the Health and Safety Self-Certification, CCP 4, which certifies that the home where child care is provided meets basic health and safety standards, including the prevention and control of infectious diseases; and 2) the Health and Safety Facility Checklist, CCP 6, which provides parents with a list of suggested questions to ask their child care provider to help ensure that the building and physical premises where child care is provided is a safe and healthy place for their child(ren).

i. (Reserved)

j. (Reserved)

k. (Reserved)

l. (Reserved)

m. (Reserved)

n. (Reserved)

o. (Reserved)

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p. (Reserved)

q. (Reserved)

r. (Reserved)

s. (Reserved)

t.	(1) Trustline Registry	Trustline Registry - means a computer based registry of child care providers who have had a background check to ensure that child care providers have no disqualifying criminal convictions or substantiated reports of child abuse.
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u. (Reserved)

v. (Reserved)

w. (Reserved)

x. (Reserved)

y. (Reserved)

z. (Reserved)

NOTE: Authority cited: Sections 10553, 10554, and 10604, Welfare and Institutions Code; Section 1596.67, Health and Safety Code; Sections 8171(a) and 8181(a), Education Code; and Public Law 104-193, (Personal Responsibility and Work Opportunity Reconciliation Act [PRWORA] of 1996). Reference: Section 1596.67, Health and Safety Code; Sections 8171(a) and 8181(a), Education Code; and 42 U.S.C. 9858c.(c)(2)(F).

47-610 TRUSTLINE REGISTRY PAYMENT ELIGIBILITY FOR LICENSE-EXEMPT CHILD CARE PROVIDERS 47-610

- .1 Eligible Child Care Provider** To be eligible for CalWORKs child care payment/reimbursement, all license-exempt child care providers shall apply for Trustline. The following are exempt from this requirement:
- .11 Exempt Child Care Providers** Aunts, uncles, grandparents, great grandparents, great aunts, and great uncles of the child(ren) in care, by blood, marriage or court decree.

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- .111 Court Decree** Court decree includes, but is not limited to, adoptions or other court orders impacting family relationships.
- .112 Declaration of Relationship** Counties should obtain a self-certification declaration that substantiates the relationship of the exempt provider to the child(ren).

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- .12 Exempt School or Recreation Programs** A public recreation program as defined in Health and Safety Code Section 1596.792 or a public or private school.
- .2 Prior Income Disregard Reimbursement** All providers whose fees were reimbursed through income disregard prior to January 1, 1998 are exempted from Trustline unless one of the following apply:
- .21 New Child Care Services Provided** The provider begins to provide child care to an eligible family for which he or she has not provided care.
- .22 Lapse in Child Care** The provider begins to provide child care to an eligible family subsequent to a lapse in care.

NOTE: Authority cited: Sections 10553, 10554, 10604, and 11324(c)(1) and (2), Welfare and Institutions Code; Section 1596.67, Health and Safety Code; Sections 8171(a) and 8181(a), Education Code; and Public Law 104-193, (Personal Responsibility and Work Opportunity Reconciliation Act [PRWORA] of 1996). Reference: Sections 1596.66 and 1596.67, Health and Safety Code; Sections 8171(a) and 8181(a), Education Code; and 42 U.S.C. 9858c.(c)(2)(F).

47-620 TRUSTLINE REGISTRY APPLICATION REQUIREMENTS 47-620

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| .1 Trustline Registry Application Requirements | All families requesting license-exempt child care who are subject to Trustline shall be provided a Trustline Registry application package, which includes a Trustline Registry application and two fingerprint cards; one card to check the Criminal History background, and the second to check the FBI background of the provider. |
| .11 R & R's Receipt of Completed Application Package | The provider has no more than 28 calendar days from the first day that CalWORKs child care services began in which to return the completed application package to the California Child Care Resource and Referral Agency (R & R) for processing. |
| .111 County's Reasonable Shorter Time Period | The county may establish a reasonable shorter time period, within county procedures, to complete the Trustline application process. |
| .112 Discontinuance of Child Care | The county shall provide temporary child care and discontinue child care if the county is not notified that the Trustline Registry application was received by the 28th calendar day from the first day that CalWORKs child care services began. |
| .2 Denial of Payment | The county shall deny payment for child care services which are exempt from licensure if either of the following apply: |
| .21 Conviction of a Crime | The provider has been convicted of a crime specified in subdivision (f)(1) of Section 1596.871 of the Health and Safety Code. |
| .3 Continuing Payment Eligibility | Once the Trustline Registry application has been received by the R & R, the county shall issue child care payments for care that is otherwise eligible, unless the county is notified of one of the following: |
| .31 Application Denied | The Trustline Registry application is denied. |
| .32 Case File Closed | The Trustline case file is closed. |
| .33 Registration Revoked | The Trustline registration is revoked. |

47-620 TRUSTLINE REGISTRY APPLICATION REQUIREMENTS **47-620**
(Continued)

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| .4 | Immediate Notification to the Recipient | Upon receipt that the Trustline Registry application has been denied, the case file closed, or registration is revoked, the county shall immediately notify the recipient. |
| .5 | Timely Notice of Action | Counties shall issue a timely Notice of Action [see MPP Section 22-001t.(1)] prior to discontinuing child care payment. |

NOTE: Authority cited: Sections 10553, 10554, 10604, and 11324, Welfare and Institutions Code; Section 1596.67, Health and Safety Code; Sections 8171(a) and 8181(a), Education Code; and Public Law 104-193, (Personal Responsibility and Work Opportunity Reconciliation Act [PRWORA] of 1996). Reference: Section 11324, Welfare and Institutions Code; Sections 1596.67 and 1596.607, Health and Safety Code; Sections 8171(a) and 8181(a), Education Code; and 42 U.S.C. 9858c.(c)(2)(F).

47-630 HEALTH AND SAFETY REQUIREMENTS FOR LICENSE-EXEMPT **47-630**
CHILD CARE PROVIDERS

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| .1 | Health and Safety Requirements for License-Exempt Child Care Providers | To be eligible for CalWORKs child care, all license-exempt child care providers in a private residence shall complete a Health and Safety Self-Certification with the parent of the child(ren) to be placed in care. This document shall be returned to the county within 28 calendar days from the first day that CalWORKs child care services began. The following are exempt from this requirement: |
| .11 | Exemptions | Aunts, uncles, grandparents, great grandparents, great aunts, and great uncles of the child(ren) in care, by blood, marriage or court decree. |
| .2 | Health and Safety Facility Checklist | The county shall provide a Health and Safety Facility Checklist to the participant that assists the parent in determining the home where care is to be provided is a safe and healthy place for the child(ren). |

NOTE: Authority cited: Sections 10553, 10554, 10604, and 11324, Welfare and Institutions Code; Sections 1596.66 and 1596.67, Health and Safety Code; Sections 8179.5, 8181(a) and 8182.5, Education Code; and Public Law 104-193, (Personal Responsibility and Work Opportunity Reconciliation Act [PRWORA] of 1996). Reference: Section 11324, Welfare and Institutions Code; Sections 1596.66 and 1596.67, Health and Safety Code; Sections 8179.5, 8181(a), 8182.5, and 8358(a), Education Code; 42 U.S.C. 9858c.(c)(2)(F); and Assembly Bill 1542, Chapter 270, Statutes of 1997.

**ELIGIBILITY AND ASSISTANCE STANDARDS
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DIVISION 48 RECORDS**CHAPTER 48-000 RECORDS-GENERAL****48-001 COUNTY DEPARTMENT RESPONSIBILITY FOR RECORDS****48-001**

- .1 The county shall maintain a record for each applicant and recipient which identifies each individual and family, their address and household composition for AFDC. The record shall identify each child and his/her parents, their address and household composition. (See Section 20-005 on record requirements for fraud cases.) The record shall also include:
- .11 Records - Eligibility and Grant
- .111 The appropriate Form CA 2 completed by or on behalf of the applicant.
- .112 All evidence obtained to support the linking and the nonlinking factors of eligibility. The county may maintain a copy or a written record of the type of evidence and its pertinent content where the evidence has been returned to the applicant.
- .113 The original or a copy of pertinent forms completed during the determination or redetermination of eligibility, i.e., budget work sheets, authorizations, forms relating to intercounty transfers, etc.
- .114 The basis for county action granting, denying, changing, suspending, delaying, cancelling, or discontinuing aid.
- .115 The computation of any overpayment and the basis for a conclusion that the overpayment is or is not subject to adjustment or repayment. If the overpayment is subject to repayment, a copy of any demands for repayment, the facts regarding the determination of the debtor's ability to repay and collection activity (unless this information is recorded centrally elsewhere).
- .116 The worker's evaluation of the applicant's ability or inability to understand his/her program rights and responsibilities.
- .12 Records - Intraprogram Status Change
- .121 A record of any intraprogram status change as provided in Section 40-183.
- .13 Records - Care in a Medical Institution
- .131 For the recipient who is a patient in a public or private medical institution, all pertinent information to support the determination of eligibility or ineligibility. (Chapter 42-500.)

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.14 Case Records - Certification for Medi-Cal

- .141 A record of the certification and each recertification of the recipient for medical care under the Medi-Cal Program.

.15 Case Records - Narrative

- .151 Each notation or entry in the case record whether it be on a form or supplemental narrative shall be dated and the person making the entry shall be identified.

48-003	RETURN OF PERSONAL DOCUMENTS	48-003
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- .1 Personal documents shall be returned to the applicant after the pertinent information has been copied or recorded.

48-005	ASSIGNMENT OF STATE NUMBERS	48-005
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- .1 A state number shall be assigned to each application. (See Sections 23-250 and 23-275.)